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9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 Luis A. Urenda-Bustos,
12 Petitioner,
13 v.
14 Jerry Howell, *et al.*,
15 Respondents.

Case No. 2:18-cv-01073-JCM-DJA

**Unopposed Motion for an
Extension of Time in which to file
Opposition to Motion to Dismiss
(ECF No. 28)**

(Second Request)

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17 Petitioner Luis A. Urenda-Bustos moves for an extension of time of 45 days, up
18 to and including April 13, 2020, to file his Opposition to Respondents' Motion to
19 Dismiss. Respondents do not oppose this request.
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POINTS AND AUTHORITIES

1. On July 1, 2019, Mr. Urenda-Bustos filed his Third Amended Petition in this case.¹ On November 13, 2019, Respondents filed a Motion to Dismiss.² On December 30, 2019, undersigned counsel sought a sixty day (60) extension to file his opposition to Respondents' motion.³ For the reasons detailed below, counsel seeks an additional forty-five (45) day extension to file his opposition.

2. An additional extension of time to file a reply is necessary for several reasons. Undersigned counsel has a busy caseload involving both non-capital and capital habeas matters currently pending in Nevada and out-of-state district courts for which he is carrying on various investigations and research assignments and meeting multiple deadlines.

3. In the last two months, as part of his duties handling capital habeas matters, counsel had to expend a substantial amount of time drafting a petition for habeas relief filed with this Court on January 15, 2020. The petition prepared by counsel was approximately two hundred pages long. As part of his duties handling non-capital habeas matters, counsel expended a substantial amount of time preparing and filing a 90-page petition in the matter of *Zanini v. Baker*, et al, 18-cv-00336-MMD. Further, on February 18, 2020, counsel had to file an opening brief with the Nevada Supreme Court in Mr. Urenda-Bustos's state post-conviction proceeding, *Urenda-Bustos v. State*, Case No. 79640. Finally, undersigned counsel has also had to expend substantial time preparing a petition in the non-capital habeas matter, *Washington v. Gitterre, et al.*, 3:19-cv-00256-MMD, which is due on March 5, 2020.

¹ ECF No. 19.

² ECF No. 28.

³ ECF No. 32.

1 4. In addition to his representation in capital and non-capital habeas
2 matters, counsel is part of a team representing Ryan Schlesinger, in *United States v.*
3 *Schlesinger*, an out-of-district federal capital trial case in Arizona. Over the last
4 couple months, counsel expended a substantial amount of time preparing and
5 handling a mitigation presentation before the U.S. Attorney's Office Death Penalty
6 Committee for the District of Arizona. Counsel was required to file numerous motions
7 related to the presentation as well as other pre-trial matters. Finally, counsel was
8 required to travel numerous times to Arizona to fulfill his responsibilities in the case.

9 5. This requested extension will permit counsel time to thoroughly and
10 adequately respond to the arguments raised by the Respondents in their motion. This
11 is Mr. Urenda-Bustos' second request for an extension and is not made for the
12 purposes of delay, but rather in the interests of justice.

13 6. Finally, the present request for an extension is unopposed. On February
14 28, 2020, counsel for Petitioner contacted Deputy Attorney Jessica Perlick via email
15 concerning this request for an extension of time. Ms. Perlick has no objection to the
16 request.

17 WHEREFORE, counsel respectfully requests that this Court grant the request
18 for an extension of time to file an opposition to Respondents' motion to dismiss to
19 Monday April 13, 2020.
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1 Dated February 28, 2020.

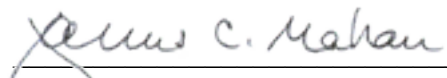
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3 Respectfully submitted,

4 Rene L. Valladares
5 Federal Public Defender

6 /s/Martin L. Novillo

7 Martin L. Novillo
8 Assistant Federal Public Defender

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10 IT IS SO ORDERED:

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12 
13 United States District Judge

14 Dated: March 2, 2020